

Sheffield Lake Zoning Board of Appeals Minutes  
Held November 21, 2019

The regular meeting of the Sheffield Lake Zoning Board of Appeals was called to order on Thursday, November 21, 2019 at 7:01 P.M. in Council Chambers with acting Chairperson Reilly presiding.

ROLL CALL:

Present: Reilly, Harper, Siebenhar, Building Inspector Melbar, Law Director Graves,  
Mayor Bring

Absent: Radeff (excused), Tatter (excused), Jancura (excused)

Attending: Applicants

APPROVAL OF MINUTES: September 19, 2019 - \*Motion by Siebenhar/Second by Melbar to approve the minutes as presented and revised. Yeas All.

Correspondence: None

Council Representative Radeff report: Absent.

Planning Commission Member Siebenhar report: None.

OATH ADMINISTERED

As provided in 1353.37 of the Sheffield Lake Building Code, procedure at hearings, an oath was administered by Law Director Graves to all members of the audience who would be speaking at this meeting.

CASE#19SFL-VAR011

Robert Giusti, 4285 Ferndale Ave, request for variance of 4' 4".

Applicant is not present. Law Director Graves states that in this instance there are a few options for the board. The board can agree to hear the case based on the written materials or you can elect to table the matter either until the end of the meeting or the next meeting.

\*Motion by Sibenhar/Second by Harper to table the application until the end of the agenda.

Case #19SFL-VAR012

Christopher and Elaine Hollo, 4607 Lake Rd, request for multiple variances.

Law Director Graves swears applicants in. Mrs. Hollo states we bought a piece of property that is 50 ft. wide by 120 ft. long. We would like to build a 2, 356 sq. ft. house on this lot. We will need variances on the side lots. I have both my neighbors here and we have discussed this with them, and they are ok with it. The property is from the 1900's and there is a cottage on it. We are trying to make use of the lot and improve it. Acting Chairman Reilly states so you want a variance on ordinance 1133.05, 1133.07C and 1133.07E. Is there any other way you could construct your house? Elaine and Christopher reply not really. Mr. Hollo states as far as emergency vehicles etc, the Community center is on one side and Grace has a driveway on the

other side. There is ample room to get through. Member Siebenhar asks what would your rear setback be? Mrs. Hollo states the distance from Edgewater drive from the North west corner (our covered porch) is 9'4", from the corner of the deck above, would be 7'4". From the North west corner of the house, to Edgewater Dr., perpendicular to the right of way, is approximately 19ft. There is a 40ft. setback from Lake Rd. Elaine states we would like it to be our retirement home and have a first-floor bedroom and bath which is why we need this size. Member Harper asks what is the necessity of the 2,400 sq. ft.? Mrs. Hollo replies it mostly comes down to the first-floor bedroom. Trying to get that in there with everything else, with it being so narrow (inaudible). Member Harper states on the other side of Edgewater there is a 2,000 sq. ft. home built on a 40 ft. wide lot. Acting Chairman Reilly asks will this take up pretty much the same footprint as the existing structure? Elaine responds it is back quite a bit more from Edgewater than the original structure. Member Siebenhar asks are there any easements, underground pipes or things like that? Mrs. Hollo responds not that I am aware of. Law Director Graves asks so, along this stretch of Edgewater all of the lots are 50 ft. lots, correct? Elaine responds yes. On the North side they are primarily 40 ft. lots. I think the house will fit in well and look appropriate. Acting Chairman Reilly asks do you think that to adhere to this ordinance, it would present an unnecessary hardship to you? Mrs. Hollo responds yes. Acting Chairman Reilly asks, and you do not see any other way to achieve your means? Elaine responds no. We have worked with an architect and there is no way if we want the first-floor bedroom. Acting Chairman Reilly asks Mr. Graves would it be advisable to have their witness come and speak? Law Director Graves replies if that concludes their presentation than it would be appropriate to open it up to anyone else who would like to speak on this matter.

CLOSE PRESENTATION: \*Motion by Harper/Second by Siebenhar to close presentation.

Yeas All.

(Inaudible) Neighbor to the North on Lake side states I had called previously to see how long and asked if there were some plans or design that could be reviewed prior to the meeting, but there wasn't any. I was hoping to have the opportunity to look at that. Mayor Bring states she can have mine. Law Director Graves swears audience member in. Neighbor asks what is the code for the rear setback? Building Inspector Melbar replies 30 ft. with an attached garage. Neighbor asks so that would be part of the variance they are requesting? Building Inspector Melbar replies yes. Member Harper states they are requesting two variances. Neighbor states I guess my question is, why would the length of the lot variance need to be requested, against Edgewater? Building Inspector Melbar replies because the setback is 30 ft. without a variance. And they are 12 ft. so they need 7 ft. Neighbor responds so, because the size of the lot? Why would a variance be granted when the house could be moved forward? Building Inspector Melbar replies because they have to keep the front setback also. The front follows the houses that are on Lake Rd. right now. Member Siebenhar asks so you are to the North of Edgewater to the East, what is your setback off Edgewater? Neighbor replies maybe a car width and a half, I'm not really sure. (inaudible) Law Director Graves swears audience member Linda Eyring in. Ms. Eyring states I have no problem with them that close to my property. Law

Director Graves asks Mr. Melbar to the best of your knowledge, was this application sent to all adjoining, adjacent and abutting property owners? Building Inspector Melbar replies yes. CLOSE DISCUSSION: \*Motion by Harper/Second by Siebenhar to close presentation. Yeas All.

Internal discussion. Member Harper states I like the layout and everything, but this is quite a big variance they need. Member Siebenhar states to be honest, I am all for new construction in the city.

\*Motion by Siebenhar/Second by Harper to approve the variances as requested.

ROLL CALL FOR APPROVAL: Yeas All.

Case #19SFL-VAR010

Mike Cloud, 3643 E. Lake Rd, request for variance for front yard garage and partial black topped driveway.

Acting Chairman Reilly asks Mr. Melbar have notices been sent out to all the neighbors? Building Inspector Melbar replies yes. Mr. Cloud states I invited our neighbors to join us tonight. Some came and one wrote a letter in support. We purchased the property last year, had a survey done and found there is a 20 ft. drainage easement on one side. We purchased the property because it is on Lake Erie and has unique width, which was important to us. In order to maintain the house, we want and the easement, we had to adjust some things. We are looking for more than a two-car garage and a house. The solution was to do a carriage house. One of the variances tonight is to put a detached garage in the front. I could legally put a huge garage in the back and obstruct the view of the lake, but that is not very neighborly and damages the financial return and beneficial use of the property. The house and garage will be screened by heavy landscaping and trees. We will have a landscape mounting out front with columns and a hedge. So, it won't really be visible to neighbors or people driving by. The garage doors will also not be facing the street. There are countless houses, photos attached, that have detached garages in the front yard on Lake Rd. My request does not impact delivery of government services. The alternative is to build an attached garage at the back of the house which will obstruct the view of Lake Erie. The second variance is asphalt driveways. The zoning code has been updated to require new driveways to be paved with Portland cement containing concrete. In our case, there is already a driveway. Theoretically, I could keep the asphalt that's already there and add some concrete on to it, but I don't think that would look very good. I have two options, pour a whole new driveway with concrete or pour a few sections of concrete and resurface, part asphalt and part concrete. I'm suggesting do all concrete from the right of way up to our hedge, so that's what is visible from the street. Beyond that, an asphalt driveway. Sidewalk will be brand new, done to city standards. As a professional builder, I prefer asphalt. I suggest maybe in the future amending the code to include asphalt. The essential character of the neighborhood wouldn't be altered. There has been an asphalt driveway at this property since 1970, this would just be a brand new one. Acting Chairman Reilly asks what is the difference in cost between doing concrete versus asphalt? Mr. Cloud responds you can buy 4 in. concrete for about \$4.75 sq. ft. and you can buy asphalt at about \$39 sq. yd. My issue isn't cost, it's esthetics. In the climate we are in, we salt our roads, concrete and salt don't go together well. Acting Chairman Reilly asks Mr.

Melbar, is he correct in what he says of concrete versus asphalt? Durability wise? Building Inspector Melbar replies yes.

CLOSE PRESENTATION: \*Motion by Harper/Second by Siebenhar to close presentation. Yeas All.

Law Director Graves swears in Joyce Lewis. Mrs. Lewis states we do not have a problem with this at all. I have seen a lot that Mike has done and if he does anything, it will be beautiful. Mr. Lewis states she is right. (inaudible). I have no problem with the carriage home or the asphalt. I think they look great.

\*Motion by Siebenhar/Second by Harper to approve the variance as requested.

ROLL CALL FOR APPROVAL: Yeas All

Law Director Graves states we still have the Giusti case. They did get notice and were well aware of when the hearing was. As I said, the board can call the case and determine it based on the written material only, or you can table the matter until the next regular meeting. Acting Chairman Reilly states, I would like to do it tonight.

\*Motion by Siebenhar/Second by Harper to determine the Giusti case based on written material only. Yeas All.

Internal Discussion.

CLOSE PRESENTATION: \*Motion by Harper/Second by Sibenhar to close presentation. Yeas All.

\*Motion by Siebenhar/Second by Harper to approve the variance as requested. Yeas All.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**CITIZENS COMMENTARY:** **None.**

**MEETING ADJOURNED:** With no further business before this board, \*Motion by Harper/Second by Siebenhar to adjourn at 7:47pm. Yeas All.

**CLERK OF COMMITTEE AFFIRMATION:** This Meeting Of The City Committee Of The City of Sheffield Lake, Ohio Was Held and Conducted Under All Rules and Regulations Governing The Sunshine Laws Of The State Of Ohio As They May Apply. All meetings are recorded and available in council's office.

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CLERK OF COUNCIL

*Brandy Randolph*

I, Brandy Randolph, duly appointed Clerk of the Zoning Board of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of the Minutes of the Zoning Board of Appeals meeting of November 21, 2019.

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CHAIRPERSON

*Diana Jancura*

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PRESIDENT OF COUNCIL

*Rick Rosso*